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June 30, 2020

BY EMAIL

Honorable Joan N. Ericksen, U.S.D.J.
United States District Court
District of Minnesota
300 South Fourth Street
Minneapolis, Minnesota 55415

Re: Ciofoletti, et al. v. Securian Financial Group, Inc., et al.
Case No.: 18-cv-03025

Dear Judge Ericksen:

I write on behalf of Plaintiffs to bring to the Court's attention a decision of the Superior Court of California, County of Marin, issued on June 24, 2020. This decision is relevant to the Rule 12(b)(2) motion filed by Defendant Shurwest, LLC and which was argued to the Court (along with Shurwest's 12(b)(6) motion) on June 23, 2020 at 11:00 a.m.

The attached decision denied Shurwest's motion to quash service of summons for lack of personal jurisdiction. The Superior Court found that "specific jurisdiction exists" because Shurwest "purposefully established contact with California" and the "claims arise out of these contacts." *See* attached at page 1. Among the findings of the Superior Court relevant here were that "Shurwest benefited from FIP's facilitating the funding of life insurance policies on which Shurwest received a commission." *Id.* at 3 of 5. Of further relevancy was the following finding: "Shurwest was aware that its agents were recommending FIP as a funding mechanism for the IUL policy recommended by the Retirement Reboot Program, that the purpose of using the FIP as a funding mechanism (rather than direct funding) was to purchase IUL at higher levels, and that Shurwest received commissions from the IUL purchases and benefitted from increased funding levels provided by the FIP." *Id.* at 4 of 5.

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We submit the decision for the Court's consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Lee Squitieri", with a long horizontal flourish extending to the right.

Lee Squitieri

LS:mm

Encl.